

WHEREBY, BSI Financial Services as servicer for U.S. Bank Trust National Association, as Trustee of the Tiki Series III Trust (the “Secured Creditor”) as secured creditor of the debtor and Marlene Brownell (the “co-borrower”) with respect to real property located at 107 Acorn Drive, Schenectady, NY 12302 filed an objection to the Motion; and

WHEREBY, a hearing was held on September 23, 2019 and subsequently adjourned to September 25, 2019, in which all parties were in attendance and agreed upon the following terms to settle the Motion; it is therefore hereby;

ORDERED, that the Automatic Stay is imposed as to the Secured Creditor effective upon the entry of the within order, and it is further

ORDERED Movant is conditionally granted In-Rem Relief from the Automatic Stay for a period of at least two years in addition to relief from the Co-Debtor Stay as it relates to the co-borrower as set forth below, and it is further

ORDERED, that on or before October 4, 2019 the Debtor shall make a payment of \$4,700.00 in the form of certified funds and mailed to:

BSI Financial Services
314 S. Franklin Street
P.O. Box 517
Titusville, PA 16354
and it is further;

ORDERED, that the Debtor shall make timely regular monthly payments to Secured Creditor at the address listed above by the first day of each and every month, commencing with the October 1, 2019 payment; and it is further

ORDERED, that in the event the Debtor fails to tender the payment of \$4,700.00 or any regular ongoing payments and thereafter fails to cure the default within ten (10) days from the date of service of a written Notice of Default on the Debtor and Debtor's Attorney, the Movant may file an Affirmation of Non-Compliance together with a proposed Ex-Parte Order granting In-Rem Relief from the Automatic Stay for a period of at least two years pursuant to §362(d)(4) as well as Relief from the Co-Debtor Stay pursuant to §1301(c). Upon issuance of the Ex-Parte Order, the Automatic Stay and the Co-Debtor stay shall be deemed vacated with respect to the Movant,

allowing the Movant, its agents, successors and/or assigns in interest to exercise all rights available to it under applicable state law with respect to the real property known as 107 Acorn Drive, Schenectady, NY 12302, Schenectady. (the "Property"); and it is further

ORDERED, that in the event that two (2) Notices of Default have been sent to Debtor and Debtor's Attorney as a result of two defaults under this Order, the Movant may file an Affirmation of Non-Compliance together with a proposed Ex-Parte Order granting In-Rem Relief from the Automatic Stay for a period of at least two years pursuant to §362(d)(4) as well as Relief from the Co-Debtor Stay pursuant to §1301(c). Upon issuance of the Ex-Parte Order, the Automatic Stay and the Co-Debtor stay shall be deemed vacated with respect to the Movant, allowing the Movant, its agents, successors and/or assigns in interest to exercise all rights available to it under applicable state law with respect to the Property; and it is further

ORDERED, that in the event this case is converted to a case under any other chapter of the U.S. Bankruptcy Code, this Order will remain in full force and effect; and it is further

ORDERED, that the Movant shall promptly report and turn over to the Chapter 13 Trustee any surplus monies realized by any sale of the Property.

By: Opal F. Hinds
Opal Fayne Hinds
Law Office of Opal Hinds
650 Franklin Street, Suite 304
Schenectady, NY 12305

Date: 9/25/19, 2019

By: Richard Postiglione
Richard Postiglione, Esq.
Attorney for ~~Movant~~ Secured Creditor
1325 Franklin Avenue, Ste. 230
Garden City, NY 11530

Date: 9/27/19, 2019

By: Ray IB 9/25/19

By: Marlene Brownell 9/25/19

No objection: Bonnie Baker
for Andrea E. Celli, Chapter 13 Trustee